

REMARKS

Upon entry of the foregoing amendment, claims 2, 7 and 11-18 will be pending. Claim 2 will be amended. Claims 2 and 7 are independent claims.

Rejections under 35 U.S.C. §112

Claims 2, 7, 11 and 14 stand rejected 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the written description requirement. The Office Action asserts that the claimed subject matter of “first commodity provision information” and “second commodity provision information” appears to be new matter (Office Action, page 2-3). Applicant respectfully traverses, and submits that the specification as originally filed discloses the subject matter of “first commodity provision information” and “second commodity provision information” as claimed.

The specification discloses at least two pieces of commodity provision information, which sufficiently and unambiguously support “first commodity provision information” and “second commodity provision information.” Support may be found throughout the specification. For example, the “first commodity provision information” may be a piece of information stored in the system (specification, ¶[0042], “the information storage means *stores*... commodity provision information on commodity service” (*emphasis added*)), and the “second commodity provision information” may be a piece of information newly received by the system (specification at ¶[0079], “the processing means 14 *receives* information included in commodity provision information” (*emphasis added*)). This point is reinforced in paragraph [0081] of the specification, which states that “as a result of the checking, if the *received information included in the commodity provision information* partially or completely coincides with *the commodity provision information stored in the personal information storage means* 12, the processing means 14 identifies an information disclosing person or persons associated with said commodity provision information (S203)” (*emphasis added*). Therefore, the specification discloses at least two pieces of commodity provision information, *i.e.* “the received ... commodity provision information” and “the commodity provision information *stored* in the personal information storage means.”

Because the specification as originally filed discloses “first commodity provision information” and “second commodity provision information” as recited in claims 2, 7, 11 and

14, Applicant respectfully requests that the rejection under 35 U.S.C. § 112, first paragraph be withdrawn.

Claim 2 stands rejected under 35 U.S.C. § 112, second paragraph. Applicant has amended claim 2 to address the rejection. Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. § 112, second paragraph be withdrawn.

Rejections under 35 U.S.C. §103

Claims 2, 7 and 11-18 stand rejected under 35 U.S.C. 103(a) as allegedly being obvious over U.S. Patent Publication No. 200210019817 to Matsui et al. (“Matsui”) in view of U.S. Patent Publication No. 200110037294 to Freishtat et al. (“Freishtat”). Applicant respectfully submits that the claims patentably define over the cited references because the cited references do not disclose, teach or suggest *identifying an information disclosing person by using commodity provision information on a specific commodity as a key* as claimed.

This patent application discloses a system that enables a commodity provider to search for potential customers by using commodity provision information on a specific commodity as a key. Typically, if a consumer recently purchased a specific commodity, he or she is likely to purchase other related commodities as well. For example, a furniture vendor may use the system to identify consumers who recently purchased a child's blanket by entering a specific commodity as a key (e.g., a child's blanket). The furniture vendor may then market related commodities, such as a child's studying desk, to those consumers identified by the system (Specification, ¶[0086]).

In contrast, neither Matsui nor Freishtat discloses, teaches or suggests identifying a consumer by using a specific commodity as a key. The Office Action admits that Matsui does not teach “identifying by using the second commodity provision information on a specific commodity as a key,” but cites Freishtat as allegedly teaching the claimed subject matter. In particular, the Office Action suggests that Freishtat discloses using “transaction type” as a key to “provide means to share and utilize personal information on a user (e.g., customers),” and therefore teaches identifying a consumer by using a specific commodity as a key (Office Action, page 6).

Freishtat generally discloses a system that collects and aggregates personalized information from various information providers' sites, and delivers the aggregated personalized information to the specific individuals (*see* Freishtat, Abstract). The system maintains a list of information providers, and stores the types of transactions supported by each information provider (*see id.* at ¶[0056]). When an individual initially subscribes to the system, the individual enters the types and sources of transactions of interest (*e.g.*, he is interested in the weather forecast for his local area) into the system (*see id.* at ¶[0019], ¶[0063]). The system then provides the individual with a list of information providers that support the types of transactions of interest to the individual (*see id.* at ¶[0063]).

Contrary to the suggestion of the Office Action, Freishtat does not teach ***identifying an information disclosing person by using commodity provision information on a specific commodity as a key*** for two reasons. First, “transaction ***type***” cannot be said to disclose a specific commodity as claimed. While Freishtat does not specifically define “transaction ***type***”, Freishtat uses purchasing merchandise or paying a bill online as examples of transactions support by information providers (*see id.* at ¶[0009], [0132]). Nowhere does Freishtat teach or suggests that “transaction type” may be a specific commodity. Second, Freishtat does not teach using a “transaction type” as a key to identify ***information disclosing persons***, *e.g.* a consumer who has recently purchase a particular commodity. Rather, in Freishtat, “transaction type” is used to identify the information providers, such as a bank or a utility company that support the types of transactions of interest to the individual (*see id.* at ¶[0019] and [0063]). In fact, Freishtat is not even interested in searching and identifying specific persons, because Freishtat focuses on providing a user personalized information pertained to him/herself (*e.g.* stock portfolio or bank balance), not personal information of others (*see id.* at ¶[0019]).

Therefore, Applicant respectfully submits that the claims 2, 7 and 11-18 patentably define over Matsui and Freishtat. Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. § 103 paragraph be withdrawn.

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CONCLUSION

In view of the above amendments and remarks, Applicant respectfully submits that the present application is in condition for allowance. Applicant respectfully requests reconsideration of the application and Notice of Allowance for claims 2, 7 and 11-18. The Examiner is encouraged to contact Applicant's undersigned representative, Michael Koptiw, at 215-564-8379 if the Examiner cannot allow the claims for any reason.

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